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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ANIBAL RODRIGUEZ, JULIEANNA MUNIZ, ELIZA CAMBAY, SAL CATALDO, EMIR GOENAGA, JULIAN SANTIAGO, HAROLD NYANJOM, KELLIE NYANJOM, and SUSAN LYNN HARVEY, individually and on behalf of all other similarly situated,

| Case No. 3:20-cv-04688-RS

**PLAINTIFFS' STATEMENT OF
RECENT DECISION IN OPPOSITION
TO GOOGLE'S MOTION TO
DISMISS; REQUEST FOR LEAVE
CIVIL L.R. 7-3(d)(2)**

Judge: Hon. Richard Seeborg

MTD Hearing Date: March 4, 2021
MTD Hearing Time: 1:30pm

Plaintiffs

V.

GOOGLE LLC,

Defendant.

STATEMENT OF RECENT FGEKUQP

Pursuant to Civil Local Rule 7-3(d)(2), Plaintiffs respectfully seek leave to provide supplemental authority relevant to Google's pending Motion to Dismiss.

In another action in this District, Magistrate Judge Susan van Keulen granted in part and denied in part Google’s motion to dismiss. *See McCoy v. Alphabet, Inc., et al.*, 5:20-cv-5427-SVK, Dkt. 43 (N.D. Cal. Feb. 2, 2021), attached as **Exhibit A**. This ruling follows Google’s representation that its Web & App Activity on/off functionality is part of how Google “provides users with options to control third-party-app usage data” with Web & App Activity disclosures “informing users that they ‘control whether app activity from your devices is saved’ and can turn ‘off or delete past activity at any time.’” Dkt. 24 at 4 (citing Request for Judicial Notice Ex. 5 (Web & App Activity page).)

The decision was issued after Plaintiffs in this case filed their opposition on January 14, 2021. Dkt. 71.

DATED: February 5, 2021

By: /s/ Mark C. Mao
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